

CLOSED_2012, MEDIATION

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Buffalo)
CIVIL DOCKET FOR CASE #: 1:12-cv-00102-RJA-JJM

Kuzma v. United States Department Of Justice
Assigned to: Hon. Richard J. Arcara
Referred to: Hon. Jeremiah J. McCarthy
Cause: 05:552 Freedom of Information Act

Date Filed: 02/03/2012
Date Terminated: 08/14/2012
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Michael Kuzma**

represented by **Peter Andrew Reese**
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V.

Defendant**United States Department Of Justice**

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Date Filed	#	Docket Text
02/03/2012	<u>1</u>	COMPLAINT <i>Michael Kuzma</i> against United States Department Of Justice (Filing fee \$ 350 receipt number 0209-1529037.), filed by Michael Kuzma.(Reese, Peter) (Entered: 02/03/2012)
02/03/2012		E-Filing Notification: Civil cover sheet and summons must be filed. Documents should be filed using the continuation of exhibits event (KB) (Entered: 02/03/2012)

02/03/2012	<u>2</u>	CONTINUATION OF EXHIBITS to <u>1</u> Complaint. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(Reese, Peter) (Entered: 02/03/2012)
02/06/2012		Case Assigned to Hon. Richard J. Arcara. (KB) (Entered: 02/06/2012)
02/06/2012	<u>3</u>	Summons Issued and sent to plaintiff's attorney as to United States Department Of Justice. (KB) (Entered: 02/06/2012)
02/06/2012	<u>4</u>	AUTOMATIC REFERRAL to Mediation: ADR plan forwarded to plaintiff(s) attorney.(KB) (Entered: 02/06/2012)
02/06/2012	<u>5</u>	NOTICE to Consent before a Magistrate Judge sent to attorney. (KB) (Entered: 02/06/2012)
02/10/2012	<u>6</u>	NOTICE of Appearance by Daire Brian Irwin on behalf of All Plaintiffs (Irwin, Daire) (Entered: 02/10/2012)
03/09/2012	<u>7</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by United States Department Of Justice. (Attachments: # <u>1</u> Affidavit of Jane B. Wolfe, Assistant U.S. Attorney in support of motion)(Wolfe, Jane) (Entered: 03/09/2012)
03/12/2012	<u>8</u>	TEXT ORDER granting <u>7</u> Motion for Extension of Time to Answer or Move as to the United States. The answer or responsive motion of the United States shall be due March 26, 2012. Issued by Hon. Richard J. Arcara on March 12, 2012. (WJG) (Entered: 03/12/2012)
03/23/2012	<u>9</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by United States Department Of Justice. (Attachments: # <u>1</u> Affidavit of Jane B. Wolfe, Assistant U.S. Attorney in support of motion)(Wolfe, Jane) (Entered: 03/23/2012)
03/26/2012	<u>10</u>	TEXT ORDER granting <u>9</u> Motion for Extension of Time to Answer of the defendant United States. The answer or responsive motion shall be due April 16, 2012. Issued by Hon. Richard J. Arcara on March 26, 2012. (WJG) (Entered: 03/26/2012)
04/11/2012	<u>11</u>	TEXT ORDER: the parties' Consent Motion <u>9</u> providing for an extension of time to answer or move to April 26, 2012 was granted but the response due date was entered incorrectly. The answer or motion shall be due April 26, 2012. Issued by Hon. Richard J. Arcara on April 11, 2012. (WJG) (Entered: 04/11/2012)
04/18/2012	<u>12</u>	NOTICE of Appearance by Kathryn L. Smith on behalf of United States Department Of Justice (Smith, Kathryn) (Entered: 04/18/2012)
04/24/2012	<u>13</u>	ANSWER to <u>1</u> Complaint by United States Department Of Justice. (Attachments: # <u>1</u> Certificate of Service)(Smith, Kathryn) (Entered: 04/24/2012)
04/25/2012	<u>14</u>	TEXT ORDER REFERRING CASE to Magistrate Judge Hon. Jeremiah J. McCarthy The Magistrate Judge is hereby designated to act in this case as follows: Pursuant to 28 U.S.C. Section 636(b)(1)(A) and (B), all pre-trial matters in this case are referred to the above-named United States Magistrate Judge, including but not limited to: (1) conduct of a scheduling conference and entry of a scheduling order pursuant to Fed. R. Civ. P. 16, (2) hearing and disposition of all non-dispositive motions or applications, (3) supervision of discovery, and (4) supervision of all procedural matters involving the aforementioned or involving the preparation of the case or any matter therein for consideration by the District Judge. The Magistrate Judge shall also hear and report upon dispositive motions for the consideration of the District Judge pursuant to 28 U.S.C. Section 636(b)(1)(B) and (C). All motions or applications shall be filed with the Clerk and made returnable before the Magistrate Judge. The parties are encouraged to consider the provisions of 28 U.S.C. Section 636(c) governing consent to either partial or complete disposition of the case, including trial if necessary, by the Magistrate Judge. Consent forms are available from the office of the Magistrate Judge or the office of the Clerk of Court. IT IS SO ORDERED.. Signed by Hon. Richard J. Arcara on 4/25/2012. (JMB) (Entered: 04/25/2012)
04/25/2012	<u>15</u>	ORDER OF PRELIMINARY PRETRIAL CONFERENCE set for 6/1/2012 at 10:00 AM before Hon. Jeremiah J. McCarthy. Signed by Hon. Jeremiah J. McCarthy on 4/25/12. (DAZ) (Entered: 04/26/2012)

05/03/2012	<u>16</u>	First MOTION for Discovery <i>Vaughn Index</i> by Michael Kuzma.(Reese, Peter) (Entered: 05/03/2012)
05/03/2012	<u>17</u>	MEMORANDUM in Support re <u>16</u> First MOTION for Discovery <i>Vaughn Index</i> filed by Michael Kuzma. (Reese, Peter) (Entered: 05/03/2012)
05/03/2012	<u>18</u>	Proposed Pretrial Order <i>Vaughn Index</i> by Michael Kuzma. (Reese, Peter) (Entered: 05/03/2012)
05/03/2012		E-Filing Notification: <u>18</u> Proposed Pretrial Order <i>Vaughn Index</i> by Michael Kuzma. (Reese, Peter)**please note that proposed orders should not be e-filed; they should be emailed directly to chambers in a document format** (DZ) (Entered: 05/04/2012)
05/07/2012	19	TEXT ORDER : Defendant's response to plaintiff's motion for a Vaughn Index <u>16</u> shall be filed by May 18, 2012. Plaintiff's reply shall be filed by May 25, 2012. Oral argument of the motion shall be held at the preliminary conference, previously scheduled for June 1, 2012 at 10:00 am. Counsel may participate either in person or by telephone (upon advance notice to chambers). SO ORDERED.Issued by Hon. Jeremiah J. McCarthy on 5/7/12. (DAZ) (Entered: 05/07/2012)
05/18/2012	<u>20</u>	RESPONSE in Opposition re <u>16</u> First MOTION for Discovery <i>Vaughn Index</i> filed by United States Department Of Justice. (Attachments: # <u>1</u> Declaration of David M. Hardy, # <u>2</u> Certificate of Service)(Smith, Kathryn) (Entered: 05/18/2012)
05/25/2012	<u>21</u>	REPLY to Response to Motion re <u>16</u> First MOTION for Discovery <i>Vaughn Index</i> filed by Michael Kuzma. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificate of Service)(Reese, Peter) (Entered: 05/25/2012)
06/01/2012	22	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Scheduling Conference not held on 6/1/2012. Oral Argument held on 6/1/2012 re <u>16</u> First Motion for Discovery (<i>Vaughn Index</i>). Appearances: Peter Andrew Reese and Daire Brian Irwin for Plaintiff, Plaintiff also present; Kathryn L. Smith for Defendant. (DAZ) (Entered: 06/01/2012)
06/01/2012	23	TEXT ORDER : As discussed during today's proceedings, on or before June 11, 2012 the parties shall confer and submit proposal(s) for resolving this action. Pending review of the proposal(s), the court will defer ruling on plaintiff's motion <u>16</u> . SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 6/1/12. (DAZ) (Entered: 06/01/2012)
06/13/2012	<u>24</u>	ORDER Granting Stipulation for <i>In Camera</i> Review of Documents. Signed by Hon. Jeremiah J. McCarthy on 6/13/12. (DAZ) (Entered: 06/13/2012)
07/20/2012	<u>25</u>	REPORT, RECOMMENDATION and ORDER re <u>16</u> First MOTION for Discovery <i>Vaughn Index</i> filed by Michael Kuzma. Objections due August 6, 2012. Signed by Hon. Jeremiah J. McCarthy on 7/20/12. (DAZ) (Entered: 07/20/2012)
08/13/2012	<u>26</u>	ORDER deeming <u>16</u> Motion for Discovery as withdrawn; adopting Report and Recommendation re <u>25</u> . SO ORDERED. Signed by Hon. Richard J. Arcara on 8/13/2012. (JMB) (Entered: 08/13/2012)
08/13/2012	27	TEXT ORDER Clerk of Court to close case. Signed by Hon. Richard J. Arcara on 8/13/2012. (JMB) (Entered: 08/13/2012)
08/14/2012	<u>28</u>	JUDGMENT that pursuant to 28 U.S.C. 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, plaintiff's motion for a Vaughn index is deemed withdraw and the action is dismissed.. Signed by Michael J. Roemer, Clerk of Court, on 8/14/12. (DR) (Entered: 08/14/2012)